

BILLS AND RESOLUTIONS

Bills

The Hawaii State Constitution requires that every law enacted by the Legislature be introduced in the form of a bill. The bill title must encompass the entire subject matter of the bill and each bill can encompass only one subject. Bills are the most important of all vehicles available to the Legislature because, if passed, bills have the force and effect of law.

Some of the major functions of a bill include:

- Amending the Hawaii Revised Statutes (HRS) by adding a new law, or amending or deleting an existing law. Note that as a general rule, laws that are of a "general and permanent nature" are codified into the HRS.
- Amending the Session Laws of Hawaii (SLH) by adding a new law, or amending or deleting an existing law. Note that the SLH is an annual compilation of all laws enacted by the Legislature each session, including laws amending the HRS and those that are not codified in the HRS. Laws in the latter category include laws that appropriate funds, authorize the issuance of bonds, and establish temporary commissions.
- Proposing amendments to the Hawaii State Constitution. The Hawaii State Constitution sets forth the basic principles and laws of the State that determine the powers and duties of government and guarantee certain rights to the people. The Legislature may propose a change to the Hawaii State Constitution by adopting a bill containing the proposed amendments. Proposed amendments are then submitted to the electorate for approval or disapproval at the next general election.

Short-form Bills. Most bills are introduced in a form that contains the necessary details to accomplish the bill's purposes. A short-form bill is introduced with only a reference to a general idea, which is expressed in its title. A committee to which a short form bill has been referred may fill in the details of the general idea by inserting substantive provisions into the bill. However, timely notice of decision making to insert the substantive provisions must be given and all amendments made to the bill must thereafter be affirmed by committee vote. The amended bill must then be recommitted to the committee by a floor vote for purposes of holding a public hearing on the contents inserted.

Companion Bills. Companion bills are identical versions of the same bill that are introduced in both the House and the Senate to increase the chance of passage.

Administration Bills. Administration bills are prepared and proposed by executive branch agencies for consideration by the Legislature.

Carryover Bills. The Hawaii State Constitution provides that any bill pending at the adjournment of a regular session in an odd-numbered year will automatically carry over with the same bill number and status for consideration in the next regular session.

Resolutions

There are two types of resolutions – concurrent resolutions and single-house resolutions.

A **concurrent resolution** expresses the position of both houses of the Legislature or requests action on behalf of both houses of the Legislature; therefore it must be adopted by both houses of the Legislature.

A **single-house resolution** expresses the position of the house in which it was introduced or requests action on behalf of the house in which it was introduced; therefore it need only be adopted by the house in which it was introduced.

Unlike enacted bills, adopted resolutions do not have the force and effect of law. Therefore, many of them *request* or *urge* action, rather than *require* action. For example, a resolution may request an agency to study a proposal or problem and report back to the Legislature or may urge action by the President of the United States, Hawaii's congressional delegation, the Governor, or officials or agencies of other government jurisdictions.

For some actions, the adoption of a concurrent resolution is required by law. For example, authorization of the Legislature by concurrent resolution is required to approve a development project under Section 171-60, Hawaii Revised Statutes, or to lease state submerged lands and lands beneath tidal waters under Section 171-53, Hawaii Revised Statutes.

Although resolutions may be adopted immediately upon introduction, they are typically referred to a committee, whereupon they proceed through the legislative process in a manner similar to bills. The legislative timetable sets forth milestones and deadlines applicable to concurrent resolutions.